

CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

DD/A 75-2069

DD/A Registry

File Security-4-1

28 April 1975

Charles O. Porter, Esq.



Dear Mr. Porter:

This is in response to your letter of March 27, 1975, appealing a denial of your request for certain documents described on page 2 of a letter dated March 6, 1975 signed by Robert S. Young, CIA Freedom of Information Coordinator; specifically:

- a. A one-page document, dated March 26, 1964 (sic), in longhand which indicates that "Porter" may be identical with an associate of a named individual, since a person named Porter is mentioned in a document concerning the named individual. (The Committee has noted that this document is dated March 25 rather than March 26 as stated in Mr. Young's letter.)
- b. A one-page document of April 2, 1964 the subject of which is another individual and which includes a handwritten notation concerning yourself.
- c. Two documents, not otherwise described, the release of which was denied pursuant to subsections (b)(1) and (b)(3) of the Freedom of Information Act.

The authority to act on your appeal has been delegated to Mr. William E. Nelson, Deputy Director for Operations, pursuant to the provisions of section 1900.51(a) of Chapter XIX Title 32 of the Code of Federal Regulations, as amended. Mr. Nelson's findings regarding the documents described in paragraphs a and b above are as follows:

The March 25, 1964 document, described in paragraph a above, concerns an individual who is a source of foreign intelligence for the Central Intelligence Agency. This document was found among



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other documents concerning yourself because your name was mentioned as an "associate" of the CIA source. The document contains no other information regarding yourself. Included herewith is the document described, with references to the CIA source deleted.

The subject of the April 2, 1964 document (paragraph b above) is the same individual described in the foregoing paragraph. This document is included herewith also, with any references to the CIA source deleted. Mr. Nelson has determined that any references to the name of the CIA source and the signatures should be deleted from documents released to you pursuant to the authority of subsection (b)(3) of the Freedom of Information Act, section 102(d)(3) of the National Security Act of 1947, as amended, and section 6 of the CIA Act of 1949, as amended. Mr. Nelson has determined further that any references to the name of the CIA source should be withheld also in accordance with subsection (b)(6) of the Freedom of Information Act because the revelation of the fact that a given individual furnishes information to the CIA would result in a clearly unwarranted invasion of such individual's privacy.

Mr. Nelson's findings regarding the documents mentioned in paragraph c above are as follows:

One of the documents mentioned is a memorandum from the CIA to the Federal Bureau of Investigation, dated May 11, 1965, which discusses a sensitive foreign intelligence operation.

The other document described in paragraph c above is an official dispatch from a CIA field station to CIA Headquarters, dated September 12, 1963 concerning another sensitive intelligence operation directed against a foreign intelligence objective.

Mr. Nelson has determined that these documents contain information which requires a substantial degree of protection in the interest of national security. The unauthorized disclosure of this information could reasonably be expected to cause disruption of foreign relations significantly affecting the national security and could result in the revelation of significant intelligence operations. Mr. Nelson has determined further that these documents are currently properly classified Secret pursuant to Executive Order 11652 and are exempt from

the General Declassification Schedule in accordance with sections 5(B)(1), 5(B)(2) and 5(B)(4) of Executive Order 11652. Consequently, these documents will not be released to you in accordance with subsection (b)(1) of the Freedom of Information Act. Mr. Nelson has determined further that these documents contain information concerning intelligence sources and methods which the Director of Central Intelligence has the responsibility to protect from unauthorized disclosure in accordance with 50 U.S.C. 403(d)(3). Consequently, these documents will not be released to you under the authority of subsection (b)(3) of the Freedom of Information Act.

In accordance with paragraph 4(B) of subsection (a) of the Freedom of Information Act, you have the right to request judicial review of these denials in a United States district court.

In response to your separate letter of March 27, 1975 requesting the name of the agency which declined to release several memoranda in CIA files originated by that other agency, please be advised that that other agency is the Federal Bureau of Investigation.

Pursuant to the provisions of Executive Order 11652, the decision regarding the release of the classified FBI documents in CIA files must be made by the FBI. The CIA Information Review Committee has been advised by the FBI that all FBI documents in CIA files concerning yourself, which bear classification markings, are currently properly classified pursuant to Executive Order 11652, and hence are exempted from disclosure in accordance with subsection (b)(1) of the Freedom of Information Act. The FBI also has advised the CIA that these documents are additionally exempted from disclosure in accordance with subsections (b)(3), (b)(6) and (b)(7) of the Act. The FBI has advised this Committee, and we, in turn, advise you that those FBI documents in CIA files concerning yourself, that do not bear classification markings, are exempted from release in accordance with subsections (b)(6) and (b)(7) of the Freedom of Information Act. The FBI official who has made these determinations is Mr. Clarence M. Kelley, Director of the Federal Bureau of Investigation.

Sincerely,

Signed: John F. Blake

John F. Blake  
Chairman

Information Review Committee

Subject

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